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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Pax Christi International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 April 1997]

1. From 22-27 March 1997, a delegation of Pax Christi International (PXI) (namely members of our Dutch section) visited the Urabá region of Colombia. The delegation was joined by a member of the Dutch Parliament. They interviewed representatives of the various church and civilian sectors of parties in conflict and municipal and government officials in the region. Their observations are the following.

2. Since the Pax Christi visit in March 1996, the human rights situation in Urabá has not improved. Individual killings of civilians have continued. Impunity is as high as ever: almost 100 per cent of crimes go unpunished. The number of displaced persons in Urabá has reached hundreds of thousands. Recently the Government of Antioquia has promised more assistance to the displaced victims. However, at the time of the PXI visit the mayors of the cities were still left alone with the immense problem of the displaced. Since February 1997 the civilian population of Urabá Chocó, especially around the village of Rio Sucio - an area traditionally dominated by the guerrilla - is increasingly intimidated, harassed and threatened by groups that call themselves paramilitary or self-defence groups. They force people to leave

their land and homes, leaving cattle and crops behind to die. As a means of pressure, executions are committed in front of the village population. One well-known recent execution is that of a young peasant in the village of Vijao, Martino López, whose body was decapitated and cut into pieces by paramilitaries on 27 February 1997, as a warning to the village population. As of the present time, the authorities have not taken adequate action.

3. In the same period, the surroundings of several villages belonging to the community of Rio Sucio were bombed by planes of the Colombian Air Force, in order to force the population to leave their homelands.

4. As a result of these actions the civil population flees in panic by boat, foot, mule, bus or otherwise to the neighbouring cities of Panama. In this process, many families are broken up; usually the father is lost or killed. Against these paramilitary actions neither the guerrilla (who pretend to protect the civilian population) nor the Army (who also pretend to protect the civilian population) are able or willing to provide effective protection to the civilians. After these atrocities the abandoned villages are usually occupied by the official Army. The methods described above create a concentration of land in the hands of owners who have remained largely unknown.

5. The regional Army commander, General Rito Alejodel Rio Rojas of the 17th Brigade in Carepahas, declared that he is not able to guarantee the return of the thousands of displaced - mostly women and children - to their homes. At the moment the refugees are gathered in inhumane conditions, in primitive refugee camps in cities such as Turbo and Apartado.

6. The guerrilla in the region (mainly EPL and FARC) have lost considerable territory in Urabá as a result of military defeats or because of voluntary surrender to the so-called self-defence organization ACCU (Autodefensas Campesinas Córdoba y Urabá) and the Army. The ACCU is an illegal organization, but to a large extent it has assumed the role of the State to receive, protect and help legalize the status of ex-guerrillas, granting them land and technical assistance in their reintegration process. In this way the ACCU aims at setting the rules for a new society without the guerrilla and their assumed political allies.

7. Basic to the problem of Urabá is the absence of effective State authorities, the actual power is in the hands of groups that operate at the margin of the law. As a reaction to the paramilitary strategy of "guerrilla cleansing", the guerrilla try to regain territory in Urabá. In this process many civilians are killed, by the guerrilla as well as (para) military forces, because they are - rightly or wrongly - suspected of cooperating with the adversary. In recent years hundreds of local administrators, members of municipal councils, mayors, and community workers as well as Indians have been killed.

8. The State forces, especially the Army, are not considered neutral by the population but are seen as part of the conflict. Thus, they are inadequate to protect unarmed civilians since chasing the guerrilla seems to be the Army's main aim. Fear, terror and impunity seem to be the real ruling powers in Urabá.

9. Breaking with the logic of this continuous process of mutual retaliations, on 26 March 1997 the ACCU responded to the request of a priest of the diocese of Urabá and of the Dutch section of PXI and handed over the last five kidnapped civilians (family members of the guerrilla leaders of the guerrilla coalition Coordinadora Guerrillera Simón Bolívar). No condition was imposed. It was meant as a gesture of goodwill, to break the vicious circle of kidnappings and violence. However, so far the guerrilla have responded in a negative way. They refused to dialogue with the ACCU, denouncing it as illegal, and put such conditions on the peace talks with the central Government that the authorities are unlikely to comply with the demands (e.g. demilitarization of large parts of Colombian territory). The guerrilla also did not show sincere willingness to release the 60 soldiers they captured in September 1996 at the military base in Las Delicias, Caquetá.

10. Amidst the continually increasing violence, the diocese of Apartado is promoting "peace communities" (comunidades de paz) where armed forces, both legal and illegal, have no access. People should be able to defend themselves without arms and reconstruct their lives without being forced to be involved in any way with any party to the armed conflict.

11. On Sunday, 23 March 1997, San José de Apartado, an area including 28 small villages, was proclaimed a comunidad de paz in the presence of the delegation including the member of the Dutch Parliament and representatives of Pax Christi Netherlands. The delegation was requested by the communities and the church to monitor the initiative in order to help guarantee the development of this vulnerable civil peace attempt.

12. Recommendations:

(a) Pax Christi International appeals to all parties to the conflict to respect the initiative of the civilian population of the peace communities to regain its autonomy and not to be forced to cooperate with any political or armed force;

(b) Pax Christi International appeals to the provincial and national Governments to undertake serious action in order to protect the civilian population against violence and to guarantee the victims of displacement safe return to their homes and lands. For immediate relief the UNHCR programme for internally displaced persons could possibly provide assistance;

(c) Pax Christi calls upon the international community to increase its presence in the area of Urabá and to participate in the development of peace communities by monitoring this peace initiative and contributing to the peace and development programmes;

(d) Pax Christi International calls upon the European Union and specifically European multinationals not to contribute to the chronic violence in Colombia by paying large ransoms for their nationals kidnapped by the guerrilla and paying protection money (to guerrilla or to (para) military) in order to guarantee their safe foreign investment. Instead of paying to support violence, Pax Christi calls upon European countries and investors to contribute constructively to a policy at European level against kidnappings in Colombia.